STATE OF TEXAS §
COUNTIES OF ARANSAS §
SAN PATRICIO AND NUECES §
CITY OF ARANSAS PASS §

On this the 19<sup>th</sup> day of November, 2007 the City Council of the City of Aransas Pass convened in a Regular Council Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT: Tommy Knight, Mayor

Jay Attaway, Mayor Pro Tempore
Vickie Abrego, Council Member
Karen Mayer, Council Member
Frank Hametner, Council Member

ABSENT:

**ADMINISTRATIVE** 

PERSONNEL PRESENT: Tom Ginter, City Manager
Allen Lawrence, City Attorney
Ada Owens, City Secretary

ADMINISTRATIVE PERSONNEL ABSENT:

STAFF PRESENT: Don Brummett, Acting Public Works Director

Bill Haines, Assistant Police Chief/Harbormaster

Frank Truitt, City Inspector

OTHERS PRESENT: Ralph & Lu Arcemont, Rosemary Vega, Jeanie Brummett, Jim & Alpha

Covington

There may have been others present who did not sign in.

#### ITEM 1. CALL MEETING TO ORDER.

Mayor Knight called the meeting to order at 7:00 p.m. on November 19, 2007.

#### ITEM 2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.

Reverend Thomas Keith of the Episcopal Church of Our Savior gave the invocation. Mayor Knight led the pledge of allegiance to the United States flag.

- CONSENT AGENDA: "All of the following items on the Consent Agenda are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember so requests. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately."
  - A. Approval of Minutes of November 5, 2007.
  - B. Approval of Ordinance No. 2007-3930 Approving the rezoning of Lots 1 and 2, Block 445, from Residential (R-7A) to Central Area (CA)

Mayor Pro Tempore Attaway made the motion to approve the Consent Agenda. Council Member Hametner seconded the motion and the motion carried unanimously.

#### ITEM 4. PROCLAMATION IN RECOGNITION HENRY J. NEUMANN.

Mayor Knight read the proclamation recognizing Henry Neumann's contribution to the community and presented the proclamation to Rosemary Vega, CEO of the Aransas Pass Chamber of Commerce, who will deliver the proclamation to Mr. Neumann's family.

#### ITEM 5. PRESENTATION AND DISCUSSION REGARDING HABITAT FOR HUMANITY.

Mayor Knight stated Reverend Keith had approached him regarding Habitat for Humanity and wanted to hear the Council Members' opinions. He stated the City had tax resale property that might be available for such a project.

Reverend Thomas Keith stated his church was interested in taking care of the disadvantaged in the City. He stated he was aware the San Antonio Diocese has been very powerful in building Habitat organizations throughout South Texas and was convinced the (San Antonio) Diocese would be helpful to Habitat projects. He stated the church has a Habitat for Humanity organization. He stated if a corporation could not be formed to purchase the land necessary to build a Habitat for Humanity home, that the

Habitat for Humanity, San Patricio branch might be the appropriate organization to be the owner of the lot (a lot could be sold to Habitat for Humanity). He stated once a lot was secured, he knew the project could attract money and a great deal of manpower could be secured for his and other churches.

The City Manager stated he had been in contact with Corpus Christi Neighborhood Development Services regarding obtaining tax resale land without going through the bidding process and found that there are State laws that allow communities to do that. He stated he did not think the City would have to form a corporation and State law allowed a city to deed tax resale property to a nonprofit organization under certain conditions, but he would do more study. He stated he and the City Inspector would compile a list of the tax resale properties available in the City and do more research.

There was a consensus among the Council to proceed with the research and information for a Habitat for Humanity project.

The City Attorney suggested the City Manager check with the City of Rockport for their process for Habitat for Humanity projects. He stated the City could then sponsor an organization, convey property to that organization at a nominal cost, have an agreement as to the purpose of the conveyance, and the organization would then build the home.

Mayor Knight asked the City manager if an action item for Habitat for Humanity could be on the agenda for the second meeting in December.

The City Manager stated yes.

The City Attorney cautioned that tax resale property that is sold is subject to the previous owner buying the property back within two years of the tax resale.

#### ITEM 6. CONSIDER AND ACT ON APPOINTING A MEMBER TO THE PLANNING AND ZONING COMMISSION.

After discussion, Mayor Pro Tempore Attaway made the motion to appoint Kathleen Sweatt to the Planning and Zoning Commission. Council Member Mayer seconded the motion and the motion carried unanimously.

## <u>PUBLIC HEARING ON ADOPTING RULES FOR ON-SITE SEWER FACILITIES</u> <u>WITHIN THE CITY LIMITS OF ARANSAS PASS, TEXAS.</u>

City Attorney Allen Lawrence declared the Public Hearing open at 7:22p.m. on adopting rules for on-site sewer facilities within the city limits of Aransas Pass, Texas. He stated this item was proposed by Thomas Touchstone with San Patricio Environmental Health Department at the October 15, 2007 Council meeting and would regulate on-site sewer facilities as required by State law.

The City Attorney asked if there was anyone present to speak for or against the request. Seeing no one, the City Attorney closed the Public Hearing at 7:23 p.m.

## ITEM 8. CONSIDER AND ACT ON APPROVAL OF ORDINANCE 2007-3927 ADOPTING RULES FOR ON-SITE SEWER FACILITIES WITHIN THE CITY LIMITS OF ARANSAS PASS, TEXAS.

Mayor Pro Tempore Attaway made the motion to approve Ordinance 2007-3927 adopting rules for on-site sewer facilities within the City limits of Aransas Pass, Texas. Council Member Hametner seconded the motion and the motion carried unanimously.

# ITEM 9. CONSIDER AND ACT ON ORDINANCE 2007-3929 TO AMEND ARTICLE II. BOARDS, COMMISSIONS, COMMITTEES, ETC., DIVISION 4. PARKS AND RECREATION BOARD, SEC. 2-16. CREATED.

The City Manager recommended changing the wording of the Parks and Recreation Board from the Board Members consisting of "one member of the Little League board of directors, one member of the soccer league board of directors and one member of the softball league board of directors, one member of the Chamber of Commerce board of directors, and one resident of Aransas Pass" to "two residents, two residents who represent recreational activities, and one member of the Chamber of Commerce board of directors." He stated with the updated language more residents could apply for the Parks and Recreation Board.

Council Member Hametner made the motion to adopt the Ordinance amending Article II. Boards, Commissions, Committees, Etc., Division 4, Parks and Recreation Board, Sec. 2-16, Created as recommended by City Manager Tom Ginter. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.

## ITEM 10. CONSIDER AND ACT ON EXTENDING THE GLO/CITY OF ARANSAS PASS CONTRACT FEASIBILITY PERIOD.

The City Attorney stated the City and State were still having problems with Stewart Title not issuing their title commitment on the trade tract to the State. He stated the State and City have agreed to extend the feasibility period 60 days.

Mayor Pro Tempore Attaway made the motion to extend the GLO/City of Aransas Pass Contract Feasibility Period for 60 days. Council Member Abrego seconded the motion and the motion carried unanimously.

## ITEM 11. CONSIDER AND ACT ON APPROVING AN INTERLOCAL AGREEMENT – ROADS WITH ARANSAS COUNTY.

After discussion, Mayor Pro Tempore Attaway made the motion to approve the Interlocal Agreement for roads with Aransas County. Council Member Hametner seconded the motion and the motion carried unanimously.

## ITEM 12. CONSIDER AND ACT ON APPROVING CHAMBER OF COMMERCE FY2007-2008 BUDGET.

The City Manager stated the Chamber makes their budget for two years, but only the 2007-2008 budget was before the Council.

Mayor Pro Tempore Attaway asked had the Chamber of Commerce abided by all the rules and regulations set by the City.

The City Manger stated yes.

Rosemary Vega, CEO of the Chamber of Commerce stated the Chamber had accepted the City Manager as an ex-officio on the Board so he would be updated on the Chamber.

Council Member Hametner made the motion to approve the Chamber of Commerce FY2007-2008 budget. Council Member Abrego seconded the motion and the motion carried unanimously.

# REPORTS FROM CITY MANAGER AND STAFF AND PUBLIC COMMENTS: At this time the Mayor, City Council, Staff and Public comments may be given. Reports or updates on any assignments which include but are not limited to grants, building and development, budgets, financial reports and any other projects may be given. No formal action can be taken on any of these items at this time. Comments will be limited to 3 minutes each.

The City Manager stated the Gillespie Lane water and sewer project should start after the Thanksgiving holiday and reminded everyone that "Holiday on the Harbor" festival is November 29 through December 1.

## ITEM 14. RECESS REGULAR MEETING AND RETIRE TO EXECUTIVE SESSION PURSUANT TO CHAPTER 551 OF TEXAS GOVERNMENT CODE.

Recessed into Executive Session at 7:32 p.m.

A. <u>Section 551.072</u> Deliberations Regarding Real Property-Property Disposition Contract-HB 1740 Property.

## ITEM 15. RECONVENE IN REGULAR MEETING AND CONSIDER AND ACT ON FINDINGS OF EXECUTIVE SESSION.

Reconvened into Open Session at 7:54 p.m.

A. <u>Section 551.072</u> Deliberations Regarding Real Property-Property Disposition Contract-HB 1740 Property.

Mayor Knight stated there would be no action taken.

#### ITEM 16. ADJOURNMENT OF MEETING.

Mayor Pro Tempore Attaway made the motion to adjourn the meeting. Council Member Mayer seconded the motion and the motion carried unanimously.

Mayor Knight adjourned the meeting at 7:55 p.m.

	Tommy Knight, Mayor

Ada Owens, City Secretary